

REMARKS

This Amendment is submitted in response to the Official Action mailed June 30, 2004, with a shortened statutory period of three months set to expire September 30, 2004. Claims 1, 7, 16, 28, 30, 31, 37, 43, 45, and 57-59 have been amended.

Applicants have amended the claims to describe a list of functions being specified by a subscriber. Calls are routed according to call routing schedule unless a subscriber has activated function-based routing and a function from the list of functions has been selected. A determination is made using call routing information as to whether the subscriber has activated function-based routing. A determination is made as to whether a function from the list has been selected. If the subscriber has activated function-based routing and a function from the list of functions has been selected, the call routing schedule is overridden. The selected function is then used for routing calls regardless of the subscriber's current location. Some examples of support for these amendments can be found in the specification on page 4, lines 9-13, page 13, lines 12-13, page 13, lines 24-28, and page 15, lines 19-25.

The Office Action rejected claims 1-3, 5-13, 16-20, 28-33, 35-49, and 57-59 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 5,329,578 issued to *Brennan* in view of U.S. Patent 5,243,645 issued to *Bissell* and further in view of U.S. Patent 6,104,799 issued to *Jain*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

The Examiner states that *Brennan* teaches overriding the call routing schedule when a function has been selected. Applicants have amended the claims to describe the call routing schedule being overridden when a subscriber has activated function-based routing and a function that is included in the list of functions is selected. This selected function is used for routing calls when the subscriber has activated function-based routing and when the function from the list is selected. Therefore, according to Applicants' claims, the call routing schedule is overridden when the subscriber has activated function-based routing and one of the listed functions is selected. This function selected from the list is then used for routing calls. *Brennan* teaches overriding a subscriber's schedule. *Brennan* does not teach overriding a call routing schedule when a function that

is included in a list of functions is selected and then using this selected function to route calls.

The Office Action states that *Brennan* does not teach specifying a list of functions. Therefore, because *Brennan* does not teach specifying a list of functions, *Brennan* cannot teach a function from the list being selected. Further, *Brennan* cannot teach overriding a call routing schedule when a function from this list is selected.

The Office Action states that *Bissell* teaches automatically forwarding calls to an individual who is away from his/her home or office based on information obtained when the individual engages in a transaction such as a credit card purchase. The Office Action states that the activity such as a credit card purchase is similar to Applicants' claimed "function".

The problem that *Bissell* is trying to overcome is the requirement in the prior art cited by *Bissell* that a user take some affirmative action to update the system such as by providing a number to use when the user is away from the home or office. *Bissell* teaches that a subscriber who is away can have calls forwarded automatically when the user engages in a transaction or activity that is indicative of the subscriber's whereabouts.

Applicants claim a subscriber specifying a list of functions. Each function is associated with a different activity of a subscriber. When one of these functions is selected by a user and when the user has activated function-based routing, that function is used for routing a call. *Bissell* does not teach the affirmative step of specifying, by a subscriber, a list of functions where each function is associated with a different activity of a subscriber and the function being used for routing calls when a subscriber activated function-based routing and that function is selected.

Applicants also claim the affirmative steps of determining whether a subscriber has activated function-based routing and determining whether a function from the list of functions has been selected. Neither *Brennan* nor *Bissell* teaches the affirmative steps of determining whether a subscriber has activated function-based routing and determining whether a function from the list of functions has been selected.

The Office Action does not reference any part of *Bissell* that teaches the affirmative step of specifying, by a subscriber, a list of functions where each function is

associated with a different activity of a subscriber and where the function from the list is used for routing calls.

In fact, *Bissell* teaches away from Applicants' claims. Applicants claim overriding the call routing schedule when a function that is included in said list of functions has been selected by the subscriber. *Bissell* teaches the call being forwarded automatically without user input or selection. Applicants teach overriding the call routing schedule when a subscriber has activated function-based routing and a function from the list of functions has been selected. *Bissell* teaches away from the subscriber having to take an affirmative step in order to have calls forwarded.

Bissell also teaches away from Applicants' claims because Applicants claim the function being used for routing calls when the function is selected regardless of the subscriber's current location. *Bissell* teaches automatically forwarding calls when the user is away from home or office. Therefore, *Bissell* will not forward calls if the user is home, for example. According to Applicants' claims, if a subscriber has taken the step of activating function-based routing and a function has been selected, the function is used for routing calls regardless of the subscriber's current location.

The Office Action states that *Brennan* also does not teach automatically modifying the call routing information based on the results to form modified call routing information where subsequent calls are routed using the modified call routing information. The Office Action states that *Jain* teaches these features.

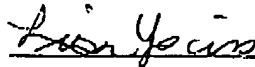
Jain teaches that an algorithm can be used that calls a subscriber where the subscriber's last call was completed. *Jain* does not teach, however, automatically modifying call routing information where that call routing information is used to determine whether the subscriber has activated function-based routing. Applicants claim a combination of features. The call routing information described by Applicants is used in a particular manner described by the claims. The call routing information that is modified is the same call routing information that is used to make determinations about whether the subscriber has activated function-based routing and whether a function from the list of functions has been selected. The claims must be interrupted in light of the combination of features and not in a piecemeal manner. None of the references describe the affirmative steps of using call routing information to determine whether a subscriber

has activated function-based routing and to determine whether a function from the list of functions has been selected. Therefore, the combination of *Jain* and the other references does not describe, teach, or suggest modifying call routing information based on the results of the call to form modified call routing information.

None of the references describes, teaches, or suggests the combination of Applicants' features. Therefore, Applicants' claims are believed to be patentable over the cited prior art. It is respectfully urged that the subject application is now in condition for allowance. The Office Action is invited to call the undersigned at the below-listed telephone number if in the opinion of the Office Action such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 09.30.04

Respectfully submitted,



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